

ASSISTED LIVING MCA'S SURVEY TOOL

FACILITY:	ADDRESS:	DATE/S:
ADMINISTRATOR:	TELEPHONE #:	TASK ORDER #:
SURVEYOR/S:	E-MAIL/WEB:	LICENSE #:

MCA	GUIDELINES	YES	NO	COMMENTS
50-5-225. Assisted living facilities -- services to residents. (1) An assisted living facility shall, at a minimum, provide or make provisions for: <ul style="list-style-type: none"> (a) personal services, such as laundry, housekeeping, food service, and local transportation; (b) assistance with activities of daily living, as provided for in the facility admission agreement and that do not require the use of a licensed health care professional or a licensed practical nurse; (c) recreational activities; (d) assistance with self-medication; (e) 24-hour onsite supervision by staff; and (f) assistance in arranging health-related services, such as medical appointments and appointments related to hearing aids, glasses, or dentures. 				
(2) An assisted living facility may provide, make provisions for, or allow a resident to obtain third-party provider services for: <ul style="list-style-type: none"> (a) the administration of medications consistent with applicable laws and regulations; and (b) skilled nursing care or other skilled services related to temporary, short-term, acute illnesses, which may not exceed 30 consecutive days for one episode or more than a total of 120 days in 1 year. 				
50-5-226. Placement in assisted living facilities. (1) An assisted living facility may provide personal-care services to a resident who is 18 years of age or older and in need of the personal care for which the facility is licensed under				

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<p><u>50-5-227</u></p> <p>(2) An assisted living facility licensed as a category A facility under <u>50-5-227</u> may not admit or retain a category A resident unless each of the following conditions is met:</p> <p>(a) The resident may not require physical or chemical restraint or confinement in locked quarters, but may consent to the use of safety devices pursuant to Title 50, chapter 5, part 12.</p> <p>(b) The resident may not have a stage 3 or stage 4 pressure ulcer.</p> <p>(c) The resident may not have a gastrostomy or jejunostomy tube.</p> <p>(d) The resident may not require skilled nursing care or other skilled services on a continued basis except for the administration of medications consistent with applicable laws and regulations.</p> <p>(e) The resident may not be a danger to self or others.</p> <p>(f) The resident must be able to accomplish activities of daily living with supervision and assistance based on the following:</p> <p>(i) the resident may not be consistently and totally dependent in four or more activities of daily living as a result of a cognitive or physical impairment; and</p> <p>(ii) the resident may not have a severe cognitive impairment that renders the resident incapable of expressing needs or making basic care decisions</p>				
<p>(3) An assisted living facility licensed as a category B facility under <u>50-5-227</u> may not admit or retain a category B resident unless each of the following conditions is met</p> <p>(a) The resident may require skilled nursing care or other services for more than 30 days for an incident, for more than 120 days a year that may be provided or arranged for by either the facility or the resident, and as provided for in the facility agreement.</p> <p>(b) The resident may be consistently and totally dependent in more than four activities of daily living.</p> <p>(c) The resident may not require physical or chemical restraint or confinement in locked quarters, but may</p>				

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<p>consent to the use of safety devices pursuant to Title 50, chapter 5, part 12.</p> <p>(d) The resident may not be a danger to self or others.</p> <p>(e) The resident must have a practitioner's written order for admission as a category B resident and written orders for care.</p> <p>(f) The resident must have a signed health care assessment, renewed on a quarterly basis by a licensed health care professional who:</p> <p>(i) actually visited the facility within the calendar quarter covered by the assessment;</p> <p>(ii) has certified that the particular needs of the resident can be adequately met in the facility; and</p> <p>(iii) has certified that there has been no significant change in health care status that would require another level of care.</p>				
<p>(4) An assisted living facility licensed as a category C facility under 50-5-227 may not admit or retain a category C resident unless each of the following conditions is met:</p> <p>(a) The resident has a severe cognitive impairment that renders the resident incapable of expressing needs or of making basic care decisions.</p> <p>(b) The resident may be at risk for leaving the facility without regard for personal safety.</p> <p>(c) Except as provided in subsection (4)(b), the resident may not be a danger to self or others.</p> <p>(d) The resident may not require physical or chemical restraint or confinement in locked quarters, but may consent to the use of safety devices pursuant to Title 50, chapter 5, part 12.</p>				
<p>(5) For category B and C residents, the assisted living facility shall specify services that it will provide in the facility admission criteria.</p>				
<p>(6) The department shall develop standardized forms and education and training materials to provide to the assisted living facilities and to the licensed health care professionals who are responsible for the signed statements provided for in subsection (3)(f). The use of</p>	<p>See Web Page: <u>www.dphhs.state.mt/</u> <SERVICES> <APPLICATION & FORMS> <ASSISTED LIVING></p>			<p>OR</p> <p><u>http://www.dphhs.state.mt.us/services/applications_forms/assisted_living_personal_care.htm</u></p>

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the standardized forms is voluntary				
<p>(7) The department shall provide by rule:</p> <p> (a) an application or placement procedure informing a prospective resident and, if applicable, the resident's practitioner of:</p> <p> (i) physical and mental standards for residents of assisted living facilities;</p> <p> (ii) requirements for placement in a facility with a higher standard of care if a resident's condition deteriorates; and</p> <p> (iii) the services offered by the facility and services that a resident may receive from third-party providers while the resident lives at the facility;</p> <p> (b) standards to be used by a facility and, if appropriate, by a screening agency to screen residents and prospective residents to prevent residence by individuals referred to in subsections (3) and (4); (c) a method by which the results of any screening decision made pursuant to rules established under subsection (7)(b) may be appealed by the facility operator or by or on behalf of a resident or prospective resident;</p> <p> (d) standards for operating a category A assisted living facility, including standards for the physical, structural, environmental, sanitary, infection control, dietary, social, staffing, and record keeping components of a facility and the storage and administration of over-the-counter and prescription medications; and</p> <p> (e) standards for operating a category B assisted living facility, which must include the standards for a category A assisted living facility and additional standards for assessment of residents, care planning, qualifications and training of staff, prevention and care of pressure sores, and incontinence care; and</p> <p> (f) standards for operating a category C assisted living facility, which must include the standards for a category B assisted living facility and additional standards for resident assessment, the provision of specialty care to residents with</p>				

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cognitive impairments, and additional qualifications of and training for the administrator and direct-care staff.				
50-5-227. Licensing assisted living facilities. (1) The department shall by rule adopt standards for licensing and operation of assisted living facilities to implement the provisions of <u>50-5-225</u> and <u>50-5-226</u>				
(2) The following licensing categories must be used by the department in adopting rules under subsection (1): (a) category A facility serving residents requiring the level of care as provided for in <u>50-5-226</u> (2); (b) category B facility providing skilled nursing care or other skilled services to five or fewer residents who meet the requirements stated in <u>50-5-226</u> (3); or (c) category C facility providing services to residents with cognitive impairments requiring the level of care stated in <u>50-5-226</u> (4).				
3) A single facility meeting the applicable requirements for a category A facility may additionally be licensed to provide category B or category C services with the approval of the department				
(4) The department may by rule establish license fees, inspection fees, and fees for patient screening. Fees must be reasonably related to service costs				
50-5-228. Limited licensing. The department may grant a license that is provisional upon the correction of noncompliance with provisions <u>50-5-225</u> through <u>50-5-228</u> or rules adopted pursuant to <u>50-5-225</u> through <u>50-5-228</u> . A provisional license may be granted only for a specific period of time and may not be renewed.				